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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/539,252

06/15/2005

Minoru Shibazaki

1176/316

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09/03/2008

LIU & LIU

444 S. FLOWER STREET, SUITE 1750

LOS ANGELES, CA 90071

EXAMINER

RUDE, TIMOTHY L

ART UNIT

PAPER NUMBER

2871

MAIL DATE

DELIVERY MODE

09/03/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/539,252	SHIBAZAKI, MINORU	
	Examiner	Art Unit	
	TIMOTHY RUDE	2871	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 May 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) 8-14 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>20050615, 20070810, 20080201</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

Applicant's election with traverse of invention I and species A in the reply filed on 01 May 2008 is acknowledged. Applicant only traversed the restriction of species. Applicant did not traverse the restriction of the inventions. The traversal of species is on the ground(s) that species were not claimed and should be examined. This is not found persuasive because Applicant has clearly illustrated the species as alternate embodiments that Applicant has not confirmed to be not patentably distinct. A determination as to patentability of one species would not be sufficient to support a determination of patentability of any of the other species.

The requirement is still deemed proper and is therefore made FINAL.

Claims 8-14 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected invention, there being no allowable generic or linking claim. Applicant timely traversed the species restriction (election) requirement in the reply filed on 01 May 2008, but did not traverse the invention restriction requirement.

Claim Rejections - 35 USC § 102

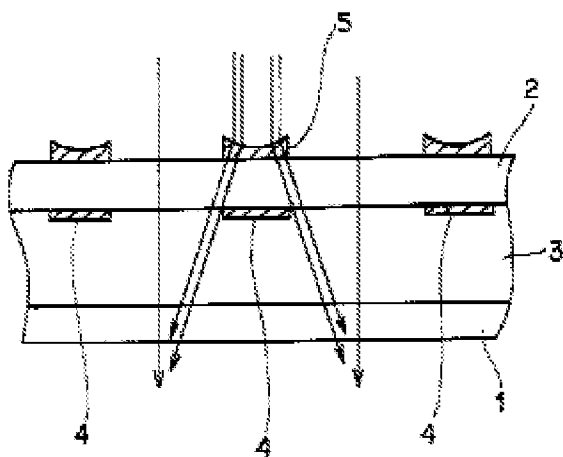
The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 5, and 7 are is rejected under 35 U.S.C. 102(b) as being anticipated by Susumu Ooima (Ooima) JP8050283, provided by Applicant in IDS 20050615.

As to claims 1-3, 5, and 7, Ooima discloses a number of embodiments of a liquid crystal display having structure to direct light from the interline regions between pixel regions to the light-utilizable areas.



Ooima discloses [Figure 8(b)] an optical collective substrate, 2, of an optically transmissive material having a structure in which incident light from one principal plane side of the substrate is locally collected in each place toward an array of light-utilizable areas formed on the outside of the other principal plane, wherein the one principal plane is provided with a groove, 2a, comprising an outline having at least one inclined plane associated with the light-utilizable area, the groove being filled with optically transmissive stuff, 32, of a predetermined refractive index, the filled groove portions making bases for allowing the incident light from the one principal plane side to be collected to the respective light-utilizable areas [e.g., Figure 13].

As to claim 2, Ooima discloses optical collective substrate as defined in claim 1, characterized in that the groove extends along at least a part of an edge of the light-utilizable area [Abstract and entire patent].

As to claim 3, Ooima discloses optical collective substrate as defined in claim 1, characterized in that the one principal plane has planes extending with a substantially equal height in areas other than the groove [per Figure 8(b)].

As to claim 5, Ooima discloses display device [LCD] using an optical collective substrate as defined in claim 1, comprising a display medium [LC] for forming images, which is disposed on the other principal plane side and carried on the optical collective

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substrate, the display device having pixels or predetermined displayed units corresponding to the light-utilizable areas [Abstract and entire patent].

As to claim 7, Ooima discloses display device according to claim 5, characterized in that the display medium is a liquid crystal medium [Abstract].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 4 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ooima in view of Kiyonaga USPAT 4,621,900.

As to claims 4 and 6, Ooima discloses optical collective substrate device as defined in claims 1 and 5.

Ooima does not explicitly disclose a device characterized in that the optically transmissive stuff has a function of pasting an additional film to the one principal plane.

Kiyonaga teaches the use of an adhesive with filtering properties to attach an upper polarizer to an LCD [col. 8, lines 5-26] in order to maintain the quality of the LCD.

Kiyonaga is evidence that ordinary workers in the art would find a reason, suggestion or motivation to use the stuff of Ooima as an adhesive with filtering properties to attach an upper polarizer to an LCD [col. 8, lines 5-26] in order to maintain the quality of the LCD.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the display device of Ooima with the stuff of Ooima used as an adhesive with filtering properties to attach an upper polarizer to an LCD [col. 8, lines 5-26] in order to maintain the quality of the LCD.

Conclusion

References cited but not applied are relevant to the instant Application.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TIMOTHY RUDE whose telephone number is (571)272-2301. The examiner can normally be reached on Increased Flex Time Program.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nelms C. David can be reached on (571) 272-1787. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

tlr

/TIMOTHY RUDE/
Primary Examiner, Art Unit 2871